

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
VALDOSTA DIVISION

ERMA JEAN EDWARDS,	:	
	:	
Plaintiff	:	
	:	
VS.	:	
	:	
HEATCRAFT, INC.,	:	CIVIL ACTION NO. 7:05-CV-36(HL)
	:	
Defendant	:	<b><u>ORDER</u></b>

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Plaintiff **ERMA JEAN EDWARDS** files this *pro se* lawsuit against her former employer, Heatcraft, Inc. She also seeks leave to proceed without prepayment of the filing fee or security therefor pursuant to 28 U.S.C. § 1915(a). As it appears that plaintiff is unable to pay the cost of commencing this action, plaintiff's application to proceed *in forma pauperis* is hereby **GRANTED**.

The precise alleged basis for federal jurisdiction in this case is not entirely clear. Although plaintiff does not invoke a constitutional provision or statute, the facts suggest that plaintiff may be trying to raise claims under the Family and Medical Leave Act ("FMLA"), 29 U.S.C. § 2601 *et seq.*, and Title VII and the Pregnancy Discrimination Act, 42 U.S.C. § 2000e(k).

If plaintiff is, in fact, attempting to assert an action under Title VII, she must comply with certain procedures that are set forth in 42 U.S.C. § 2000e-5. Specifically, an administrative charge must be filed with the Equal Employment Opportunity Commission ("EEOC") within 180 days after the alleged unlawful employment practice occurred, 42 U.S.C. § 2000e-5(e)(1), and a civil complaint must be brought within 90 days of receiving a right-to-sue letter, 42 U.S.C. § 2000e-5(f)(1).

Plaintiff has not indicated in her complaint whether she filed a timely charge with the EEOC and received a right-to-sue letter from that agency. Accordingly, if plaintiff wishes to pursue a Title VII claim, she is directed to supplement her complaint to state whether a charge was filed with the EEOC and whether the EEOC issued a right-to-sue letter. If plaintiff possesses a right-to-sue letter, she must submit a copy of it. The copy of the letter should show clearly the date it was issued by the EEOC.

Accordingly, plaintiff is hereby given **thirty (30) days** from receipt of this order to comply with the above directions. If plaintiff fails to respond to this order in a timely manner, the Court will assume she has elected not to pursue a Title VII claim.

There shall be no service of process until further order of the Court.

**SO ORDERED**, this 2<sup>nd</sup> day of May, 2005.

**s/ Hugh Lawson**  
HUGH LAWSON  
UNITED STATES DISTRICT JUDGE

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